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December 2, 2020

VIA ECF

Honorable Gabriel W. Gorenstein, U.S.M.J.
United States District Court for the Southern District of New York
500 Pearl Street
New York, NY 10007

MEMORANDUM ENDORSEMENT

Re: Anzurez et al v. La Unica Caridad Inc. et al, 1:20-cv-03828-JMF

Your Honor:

As the Court is aware, this office represents Agustin Camano Anzurez (“Plaintiff”) in the above-referenced matter. On behalf of Plaintiff, I write to request that the Court adjourn the settlement conference currently scheduled for tomorrow, December 3, at 10:00 A.M. This is the first such request. Defendants Lee and Yip, the lone non-defaulting Defendants, who were scheduled to participate in the conference, do not oppose this request for an adjournment.

I request this adjournment because, having had the opportunity to review Defendants’ pre-conference letter, I was able to confer with my client this morning concerning the assertions in said letter concerning ownership of the subject business establishment during the time period in question. I then had productive telephonic conversation with Defendants’ counsel concerning the possibility of settlement in light of the parties’ respective understandings of the issues raised. As the court’s standing Order provides that “the parties are required to seek a change in date or an adjournment sine die if an adjournment would permit discovery or exchange of information that would make the conference more fruitful,” ECF Doc. No. 60, p. 4 (emphasis in original), Plaintiff requests an adjournment of the conference for the purpose of conducting further discovery on the issue of the participating Defendants’ employer status during the period in question in light of the representations set forth in their counsels’ pre-conference letter. It is further hoped that settlement discussions in the interim will result in an agreement obviating the need for this conference.

I called the Court’s Deputy Clerk this morning to inform chambers of Plaintiff’s intention to request this adjournment, and the Clerk informed me that the Court was available for such conference at 10:00 A.M. or 2:30 P.M. on any of January 4-6, 2021. I then called counsel for the participating Defendants and was informed that Defendants are available on January 6 at 10:00 A.M. As January 6 at 10:00 A.M. is convenient for Plaintiff as well, on behalf of Plaintiff, I request that the Court adjourn tomorrow’s conference, currently scheduled for December 3, to January 6 at 10:00 A.M. I acknowledge that, barring a settlement being reached beforehand, Plaintiff would be required to submit a pre-conference letter, in accordance with the specifications of the standing order, no later than December 29, 2020.

On behalf of Plaintiff, I apologize for the delay attending this submission and thank the Court for its attention to this matter.

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Respectfully submitted,

/s/ Jordan Gottheim
Jordan Gottheim, Esq.

Cc: Robert Wong, Esq.. (via ECF)

Conference adjourned to January 6, 2021 at 10:00 a.m. Submissions are due December 29, 2020.

So Ordered.



GABRIEL W. GORENSTEIN
United States Magistrate Judge
December 2, 2020